



ENTERED
03/19/2021

**THE UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re: BRILLANT ENERGY, LLC Debtor.	§ § § § § §	 Case No. 21-30936 (Chapter 7)
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ORDER AUTHORIZING TRUSTEE TO OPERATE BUSINESS

On March 17, 2021, the Court held a hearing on an Emergency Motion to Convert to Chapter 11 and Appoint a Chapter 11 Trustee. During the hearing, the chapter 7 trustee (the “Trustee”), Randy W. Williams, requested that the Court grant emergency relief under 11 U.S.C. § 721 to authorize the Trustee to temporarily operate the Debtor’s business to preserve the value of property of the estate; after consideration of same and without ruling on any pending motion(s) and specifically reserving the rights of all parties to revisit the relief granted herein, the Court finds that notice is proper under the circumstances and that the relief requested is appropriate and in the best interests of the Debtor’s estate and its creditors. It is therefore,

ORDERED that the Trustee is authorized to exercise his business judgment and operate the Debtor’s business in the ordinary course of business until June 30, 2021; and it is further

ORDERED that the Trustee shall file all necessary financial reporting under the Bankruptcy Code and Rules relating to the operation of the Debtor’s business; and it is further

ORDERED that leave is granted for the Trustee to file a motion seeking approval to operate the Debtor’s business beyond June 30, 2021; and it is further

ORDERED that the Trustee is authorized (subject to any applicable cash collateral or financing orders), but not required, to take any and all such actions necessary to operate the Debtor’s business in the ordinary course, including, but not limited to, the authority to retain contractors/employees and pay their compensation, pay reasonable and necessary post-petition obligations incurred in the ordinary course; file, pay and withhold as required tax obligation(s) and return(s) related to the period during which the business is operated; maintain all insurance coverage related to the Debtor’s business; retain professionals, following application, and upon further order of this Court to assist the Trustee with administration and operation of the case; and insure, maintain and secure the Debtor’s assets to the best of the Trustee’s ability with the assets and resources available to him; and it is further

ORDERED that leave is granted for the Trustee to file a motion or motions seeking approval of any sale or use of the Debtor's assets, including but not limited bid procedures and/or authority to use cash collateral; and it is further

ORDERED, that to the extent the Trustee, in the exercise of his business judgement, determines that he lacks sufficient funds and/or resources to prudently operate the Debtor's business at any time, the Trustee may cease such operations immediately and as soon as possible file a pleading in this case giving notice of such decision and providing notice of same to the parties appearing in this case and as listed in the Debtor's mailing matrix; and it is further

ORDERED that approval for the Trustee to operate the Debtor's business is effective as of March 16, 2021, the date of filing; and it is further

ORDERED, that the representatives of the Debtor (including signatories on accounts of the Debtor) shall assist the Trustee in taking authority and control over all of the Debtor's assets, including but not limited to, any and all bank accounts in the name of the Debtor or accounts related to the Debtor's business operations; and it is further

ORDERED, that entry of this Order is without prejudice to the rights of creditors and/or parties in interest to request modification of the relief granted herein by the filing and service of appropriate pleadings and further order of this Court, including but not limited to, seeking emergency relief with respect to same.

Signed: March 19, 2021.



DAVID R. JONES
UNITED STATES BANKRUPTCY JUDGE

Approved as to form:

By: /s/ **Randy W. Williams**
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Chapter 7 Trustee

By: /s/ David A. Zdunkewicz

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